

16458  
PATENT  
Att. Dkt. No. 62785.000004  
DW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of :	)	Confirmation No.	7580
	)		
Richard William Falla LE PAGE <i>et al.</i>	)	Examiner:	DEVI
	)		
Serial No.: 09/769,744	)	Group Art Unit:	1645
	)		
Filed: 26 January 2001	)		

For: NUCLEIC ACIDS AND PROTEINS FROM STREPTOCOCCUS PNEUMONIAE

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicants are submitting herewith copies of the references listed on the attached Form PTO/SB/08A (modified) for consideration and to be made of record herein by the U.S. Patent and Trademark Office in the above-captioned application.

Consideration of the foregoing plus the prompt return of a copy of the enclosed Form PTO/SB/08A with the Examiner's initials in the left column in accordance with MPEP § 609 is respectfully requested.

Applicants respectfully point out that the submission of the listed references in this Information Disclosure Statement is not an admission that they are prior art or that they are material to patentability of any claims of the application. Also, the submission of this Information Disclosure Statement is not an indication that a search has been made by Applicants.

For the convenience of the Examiner in considering the cited references, a copy of each of the cited references is enclosed with this communication. In considering the cited references, it may be noted by the Examiner that certain of the references may contain markings, underlinings, and/or other notations. These markings, underlinings, and/or other notations are not to be construed as drawing the Examiner's attention either to selected parts or away from

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other parts of the cited references. Any such markings were either present on the copies of the cited references obtained by the associated individuals, or were made thereon during the study of the references by the associated individuals.

In accordance with 37 C.F.R. § 1.97(c), this Information Disclosure Statement is believed to be submitted prior to the mailing date of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application. Applicants submit herewith the requisite fee of \$180.00 pursuant to 37 C.F.R. § 1.17(p).

It is believed that no additional fees are required with this submission. However, in the event that additional fees are deemed necessary, or in the event of any variance between the amount enclosed and the fees determined by the U.S. Patent and Trademark Office, please charge or credit any such variance to the undersigned's **Deposit Account No. 50-0206**.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Dated: August 16, 2005

By:



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LHP/CJN/cdh

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

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of

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Application Number

09/769,744

Filing Date

January 26, 2001

First Named Inventor

Richard W. Falla LE PAGE et al.

Art Unit

1645

Examiner Name

DEVI

Attorney Docket Number

62785.000004

## U.S. PATENT DOCUMENTS

*Examiner Initials	Cite No.	DOCUMENT NUMBER Number - Kind Code (if known)	Publication Date MM-DD- YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-			
		US-			

## FOREIGN PATENT DOCUMENTS

*Examiner Initial	Cite No.	FOREIGN PATENT DOCUMENT		Publication Date MM-DD- YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	TRANSLA TION	
		Country Code:	Number - Kind Code (if known)				YES	NO
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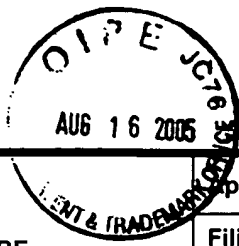
## OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS

*Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume- issue number(s), publisher, city and/or country where published	TRANSLATION	
			YES	NO
	1.	Anderson <i>et al.</i> (1996) "Immune Response in mice following immunization with DNA encoding fragment C of tetanus toxin." <u>Infection and Immunity</u> 64: 3168-3173	<input type="checkbox"/>	<input type="checkbox"/>
	2.	Breiman et al. (1990) Arch. Intern. Med. 150: 1401	<input type="checkbox"/>	<input type="checkbox"/>
	3.	Breiman et al. (1994) J. Am. Med. Assoc. 271: 1831	<input type="checkbox"/>	<input type="checkbox"/>
	4.	Donnelly et al. (1997) Ann. Rev. Immunol. 15: 617-648	<input type="checkbox"/>	<input type="checkbox"/>

EXAMINER SIGNATURE

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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(Use as many sheets as necessary)

Application Number 09/769,744

Filing Date January 26, 2001

First Named Inventor Richard W. Falla LE PAGE et al.

Art Unit 1645

Examiner Name DEVI

Attorney Docket Number 62785.000004

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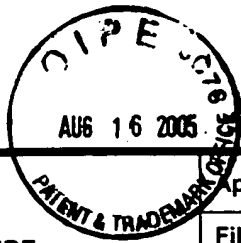
## OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS

*Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	TRANSLATION	
			YES	NO
	5.	Dougall et al. (September 1994) Tibtech 12: 372-379	<input type="checkbox"/>	<input type="checkbox"/>
	6.	Van der Vossen, et al. (1985) Applied and Environmental Microbiology 50: 540-542	<input type="checkbox"/>	<input type="checkbox"/>
	7.	Kohler & Milstein (1975) Nature 256	<input type="checkbox"/>	<input type="checkbox"/>
	8.	Kolkman et al. (1996) 178: 3736-3741	<input type="checkbox"/>	<input type="checkbox"/>
	9.	Kovacevic et al. (1985) J. Bacteriol. 162: 521-528	<input type="checkbox"/>	<input type="checkbox"/>
	10.	Kurar and Splitter (1997) Vaccine 15: 1851-57	<input type="checkbox"/>	<input type="checkbox"/>
	11.	Le Loir et al. (1994) J. Bacteriol. 176: 5135-5139	<input type="checkbox"/>	<input type="checkbox"/>
	12.	LeBlanc et al. (1978) PNAS USA 75: 3484-3487	<input type="checkbox"/>	<input type="checkbox"/>
	13.	Li et al. (1997) PNAS 94: 13251-13256	<input type="checkbox"/>	<input type="checkbox"/>
	14.	Liebl et al. (1992) J. Bacteriol. 174: 1854-1861	<input type="checkbox"/>	<input type="checkbox"/>

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Application Number 09/769,744

Filing Date January 26, 2001

First Named Inventor Richard W. Falla LE PAGE et al.

Art Unit 1647

Examiner Name DEVI

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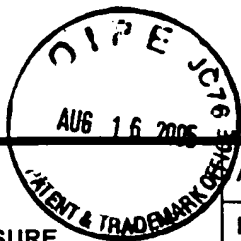
**OTHER DOCUMENTS - NON-PATENT LITERATURE DOCUMENTS**

*Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	TRANSLATION	
			YES	NO
	15.	Marck (1988) Nucleic Acids Research 16: 1829-1836	<input type="checkbox"/>	<input type="checkbox"/>
	16.	Miller et al. (1987) J. Bacteriol. 169: 3508-3514	<input type="checkbox"/>	<input type="checkbox"/>
	17.	Morrison et al. (1984) PNAS 81: 6851-6855	<input type="checkbox"/>	<input type="checkbox"/>
	18.	Oultram and Klaenhammer (1985) FEMS Microbiological Letters 27: 129-134	<input type="checkbox"/>	<input type="checkbox"/>
	19.	Poquet et al. (1998) J. Bacteriol. 180: 1904-1912	<input type="checkbox"/>	<input type="checkbox"/>
	20.	Schappert (1992) Vital and Health Statistics of the Centres for Disease Control/National Centre for Health Statistics 214: 1	<input type="checkbox"/>	<input type="checkbox"/>
	21.	Shortle (1983) Gene 22: 181-189	<input type="checkbox"/>	<input type="checkbox"/>
	22.	Simon and Chopin (1988) Biochimie 70: 559-567	<input type="checkbox"/>	<input type="checkbox"/>
	23.	Takeda et al. (1985) Nature 314: 452-454	<input type="checkbox"/>	<input type="checkbox"/>

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				<b>Filing Date</b>		January 26, 2001	
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				<b>Art Unit</b>		1645	
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<b>Sheet</b>	4	<b>of</b>	4	<b>Attorney Docket Number</b>		62785.000004	
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				<b>YES</b>		<b>NO</b>	
	24.		Waterfield et al. (1995) Gene 165: 9-15	<input type="checkbox"/>	<input type="checkbox"/>		
	25.		Wells and Schoefield (1996) In Current advances in metabolism, genetics, and applications-NATO ASI Series H 98: 37-62	<input type="checkbox"/>	<input type="checkbox"/>		
	26.		Wells et al. (1993) J. Appl. Bacteriol. 74: 629-636	<input type="checkbox"/>	<input type="checkbox"/>		
	27.		Zhang et al. (1997) Infection and Immunity 176: 1035-1040	<input type="checkbox"/>	<input type="checkbox"/>		
	28.		George R. Siber, "Pneumococcal Disease: Prospects for a New Generation of Vaccines" Science, September 1994, Vol. 265, pgs. 1385-1387.	<input type="checkbox"/>	<input type="checkbox"/>		
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